

In The Matter Of:)
)
Creation Of A) FCC Docket MM 99-25
Low Power Radio Service)

Under current conditions, LPAM appears to be an essential element in bringing a

meaningful presence of Low Power Radio to areas with saturated spectrum. In addition, LPAM is needed as a complement to the LPFM Radio Service. LPAM offers a chance to initiate a new branch of Low Power Radio which reverses, or at least neutralizes, the bias in current LPFM rules toward: (a) large and established community groups; over (b) smaller and/or newer groups, even if they offer more innovative programming.

-2-

We add that the nation's current and former Part 15 AM broadcasters, with their legally unlicensed radio programming, form an existing pool of experienced talent for a Low Power AM Radio Service. Certainly, RRTG Members do not envision that current and former Part 15ers will be the only parties to obtain LPAM licenses. Our point, rather, is this: There are enough current and former Part 15 AM broadcasters -- many of them drawn to LPAM, and some of them with decades of broadcasting experience -- to assure that the LPAM Radio Service will be able to "hit the ground running".

For these reasons, we urge the Commission to correct its omission.

Specifically, we urge the Commission to either:

- (1) Issue a final rule to establish LPAM in Docket RM-11287, based upon the proposals and public comments which the FCC has already received in this Docket;
- Or
- (2) Re-open Docket RM-11287 for the solicitation of additional views

and information, and/or for the submission of new LPAM proposals, if the FCC considers the current record in Docket RM-11287 to be inadequate for the issuance of a workable final rule.

The Need For Action On RRTG's Petition For Rulemaking
(To Increase Permissible Power Levels For Part 15 AM Stations)

RRTG Members are also disappointed that the FCC has not yet Docketed for public comments the Petition For Rulemaking which Radio Ready To Grow filed on November 22, 2005 (and immediately placed in Docket RM-11287 as well). The Petition seeks to boost the maximum wattage at which a station may broadcast while engaging in legally unlicensed broadcasting.

-3-

In one portion of its December 2007 Third Report & Order in Docket 99-25, the Commission solicited public comments on contemplated new policies for LPFM stations. The Commission could have -- and should have -- included as well the solicitation of public comments on RRTG's Petition For Rulemaking.

As a matter of policy, increasing the range of legally unlicensed radio stations would be a valuable supplement to the expansion of the LPFM Radio Service and initiation of a complementary Low Power AM Radio Service. Such action would further facilitate the spread of "broadcast localism". Legally unlicensed radio stations with greater range would be especially

valuable in areas with highly congested spectrum, where even stations of 1 to 10 watts may have problems finding a frequency, and in villages or very small towns, where the size of the potential audience may make it difficult for stations of 1 to 10 watts to recover their capital and operating costs.

As a matter of law, boosting the maximum wattage for legally unlicensed broadcasting would serve the statutory mandate -- in the Communications Act of 1934 -- for the FCC to allocate spectrum in a way which is “equitable”, as well as “efficient”.

In this regard, it was only 40 years ago when individuals and others were allowed to engage in legally unlicensed broadcasting at power levels up to 100 watts. Today, the threshold for the same activity is one tenth of 1 watt. Thus, in just four decades, the ceiling for broadcasting by individual citizens has dropped to one thousandth of its former level. In The Meantime, the legally unlicensed use of radio spectrum by commercial interests has multiplied exponentially.

-4-

Does lowering the power limits for individual citizen broadcasting so drastically -- literally, by a factor of 1,000 -- truly satisfy the statutory mandate for “equitable” allocation of spectrum?

RRTG’s Petition For Rulemaking, “radical” as it may seem to some, would still raise the power limits only to one hundredth of the level that was legal in 1968.

Docketing RRTG's Petition For Rulemaking would not commit the Commission to any new power limit. It would not commit the Commission to any increase in the power limit at all. Docketing the Petition for public comments would, however, insure a public debate on the public record: a development that is long overdue.

In light of these factors, we urge the FCC to correct this second omission as well.

Specifically, we urge the FCC to Docket RRTG's Petition for public comments.

Conclusion

For the reasons we have set forth herein, the Members of Radio Ready To Grow (RRTG) urge the Federal Communications Commission to take the following actions:

First, either issue a final rule to establish a Low Power AM (LPAM) Radio Service, based on the public comments which have already been received and reviewed in Docket RM-11287, or re-open Docket RM-11287 for the solicitation of additional views and information and/or the submission of additional proposals for structuring of the LPAM Radio Service.

Second, Docket for public comments the Petition For Rulemaking --
proposing to increase the maximum wattage for engaging in legally
unlicensed broadcasting -- that was submitted by RRTG on November 22,
2005.

Respectfully submitted,

Frank Hansche
President, RADIO READY TO GROW
General Manager, EAST HILL RADIO
7103 Allman Avenue SE
Snoqualmie, WA 98065
frankh@easthillradio.com
(425) 888-7210

Don Schellhardt, Esquire
Attorney for RADIO READY TO GROW
1520 Porter Street
Richmond, VA 23224
pioneerpath@hotmail.com
(804) 433-7268

Dated:

2008

February 29,

Members of RADIO READY TO GROW (as of February 29, 2008):

EAST HILL RADIO

Frank Hansche, General Manager
and President, RADIO READY TO GROW
Snoqualmie, WA

CHANNEL ISLANDS RADIO

Dean Gaston, General Manager
Oxnard, CA

TALK RADIO OF PAHRUMP

Harvey Caplan, General Manager
Pahrump, NV

THE GULCH

Richard Martin, General Manager
Jerome, AZ

WBGR (AM 1610)

Travis Allred, General Manager
Vinemont, AL

DELTA STAR RADIO OF FLORIDA

-- including "Musicbox 1610"
Alan McCall, General Manager
Tallahassee, FL